

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

SANDERS LAMONT ADAMS,

Petitioner,
v.

9:04-CV-0370
(TJM)(GJD)

M.P. MCGINNIS, Superintendent, Southport Correctional
Facility; ELIOT SPITZER, Attorney General of the State of
New York,

Respondents.

APPEARANCES:

SANDERS LAMONT ADAMS
93-A-7902
Elmira Correctional Facility
P.O. Box 500
Elmira, NY 14902-500
Petitioner *pro se*

THOMAS J. MCAVOY, SENIOR JUDGE

ORDER

On April 2, 2004, petitioner Sanders Lamont Adams (“petitioner” or “Adams”) filed a petition for a Writ of Habeas Corpus.¹ Dkt. No. 1. Adams’ petition was dismissed by Order of this Court filed on May 12, 2004 due to petitioner’s failure to state a claim upon which habeas corpus relief could be granted. Dkt. No. 4. Petitioner appealed the dismissal to the Second Circuit Court of Appeals. Dkt. No. 6. The Second Circuit dismissed Adams’ appeal because he had not requested a certificate of appealability (“COA”). Dkt. No. 8. Subsequently, on August 17, 2004, petitioner filed a motion in this Court for a COA. Dkt. No. 9. Adam’s motion for a COA was denied by Order of this

¹ Petitioner is an experienced litigator, having filed twenty-one (21) actions in this Court as of May 12, 2004, including nineteen (19) petitions for a Writ of Habeas Corpus. Petitioner has filed multiple actions in other New York district courts as well. *See Adams v. Spitzer, et al.*, No. 9:02-CV-853 (TJM/DRH) at Dkt. No. 36.

Court on October 8, 2004 Dkt. No. 10.

On December 9, 2004, petitioner filed a motion for reconsideration of this Court's May 15, 2004 Order dismissing Adams' petition, and the October 8, 2004 Order denying petitioner's motion for a COA. Dkt. No. 12. Petitioner's motion for reconsideration was denied by Order of this Court filed February 18, 2005. Dkt. No. 15.

On March 14, 2005, petitioner filed *another* motion for reconsideration, seeking reconsideration of the February 18, 2005 Order denying petitioner's prior motion for reconsideration.² Dkt. No. 17.

Petitioner has included nothing in his present submissions to suggest that the denial of his motion for reconsideration (Dkt. No. 15) was in any way erroneous. Since petitioner sets forth no credible basis for reconsidering any Order issued by this Court relative to Adams' petition, petitioner's motion for reconsideration is denied.³

Litigants are not permitted to file successive motions concerning issues which have already been adjudicated by the Court. *See, e.g., Muina v. H.P.D.*, No. 91-CV-4154, 1995 WL 521037 (S.D.N.Y. September 1, 1995) (successive motions for reconsideration are an abuse of process); *Jamison v. Travis*, No. 96-CV-0116 (N.D.N.Y. Aug. 25, 1997) (Hurd, M.J.) (plaintiff's renewed motion to compel denied as an abuse of process). Adams is cautioned that successive motions for reconsideration or to vacate the judgment of dismissal will not be countenanced by the Court, and may result in the

² Adams has filed fifteen (15) motions to vacate or for reconsideration, in fourteen (14) different cases, in this District between December 9, 2004 and March 23, 2005.

³ The local rules require that such a motion be "served not later than **TEN CALENDAR** days after the entry of the challenged order." Local Rule 7.1(g). Thus, petitioner's motion is untimely.

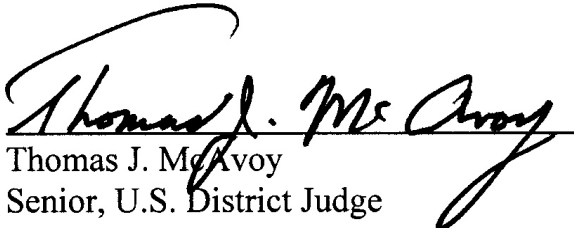
imposition of sanctions.

WHEREFORE, it is hereby

ORDERED, that petitioner's motion for reconsideration (Dkt. No. 17) is denied,
and it is further

ORDERED, that the Clerk serve a copy of this Order on petitioner by regular mail.

Dated: April 13, 2005


Thomas J. McAvoy
Senior, U.S. District Judge